

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

SWINTER GROUP, INC.,

Plaintiff,

v.

SERVICE OF PROCESS AGENTS, INC.,
DOUGLAS SCOTT KAISER, and JOHN
DOES 1-10,

Defendants.

Case No. :

State Cause No. 1711-CC00777

JURY TRIAL DEMANDED

NOTICE OF REMOVAL

Defendants Service of Process Agents, Inc., and Douglas Scott Kaiser hereby file this Notice of Removal of the above-captioned putative class action to the United States District Court for the Eastern District of Missouri, Eastern Division, and for its grounds, respectfully state as follows:

1. On or about October 27, 2017, Defendants were served with a one-count Summons and Petition filed in the Circuit Court of St. Charles County, Missouri, seeking, *inter alia*, to certify a class of plaintiffs under the Telephone Consumer Protection Act, 47 U.S.C. § 227 (the “TCPA”).

2. The Supreme Court has unanimously held that federal courts have federal question jurisdiction over TCPA cases like this one under 28 U.S.C. § 1331. *Mims v. Arrow Fin. Servs., LLC*, 565 U.S. 368 (2012).

3. Removal is proper pursuant to 28 U.S.C. § 1446 in that Defendants have filed this Notice of Removal within thirty days after receipt of the Summons and Petition, and Defendants have filed a copy of the Notice with the clerk of the State Court.

4. Defendants have attached hereto all pleadings filed in this matter to date in the Circuit Court of St. Charles County, Missouri.

WHEREFORE, defendants Service of Process Agents, Inc., and Douglas Scott Kaiser, pray that an Order be entered herein, causing cause No. 1711-CC00777 of the Circuit Court of St. Charles County, Missouri, to be removed to this Court for further proceedings, and that this Court take jurisdiction herein and make such further orders as may be proper under the circumstances.

Respectfully submitted,

EVANS & DIXON, L.L.C.

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*Attorneys for Defendants Service of Process
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CERTIFICATE OF SERVICE

I hereby certify that on the 22nd day of November, 2017, a copy of the foregoing was mailed and emailed to:

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/s/ Don V. Kelly